

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 5/4/2020

----- X
STEPHEN M. SILVERTHORNE, :
: _____
Petitioner, :
: 19-CV-11514 (VEC)
-v- :
: _____
MORGAN STANLEY, :
: _____
Respondent. :
----- X

VALERIE CAPRONI, United States District Judge:

WHEREAS the Court ordered Petitioner to show cause no later than May 3, 2020, why his Petition should not be dismissed for failure to prosecute (Dkts. 37, 39);

WHEREAS on April 23, 2020, Petitioner responded that he is “currently in the process of filing Bankruptcy but the process is slowed due to the current covid 19 issue” (Dkt. 40);

WHEREAS Petitioner has shown no intention to continue to pursue this case;

IT IS HEREBY ORDERED that the Petition (Dkts. 5, 8, 9) is dismissed with prejudice pursuant to Fed. R. Civ. P. 41(b).

No later than **May 11, 2020**, Respondent must write a letter to the Court indicating whether it intends to withdraw its motion to confirm the arbitration award (Dkt. 20) and its motion for sanctions (Dkt. 31). The Court strongly encourages the parties and counsel to meet and confer to reach an amicable solution to the remaining issues in this case.

SO ORDERED:

May 4, 2020
New York, New York



VALERIE CAPRONI
United States District Judge